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PATENT

Attorney Docket No. OUTT-011/01US

Express Mail Label Number:

EV316 174 890US OFFICE OF PETITIONS

January 16, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Mark Henry HARTMANN et al.

Examiner:

EASHOO, Mark

Serial No.:

09/777,512

Art Unit:

1732

Confirmation No.: 8432

Customer No.: 23419

Filed:

February 06, 2001

Attorney Docket No.: OUTT-011/01US

For:

MELT SPINABLE CONCENTRATE PELLETS HAVING ENHANCED REVERSIBLE

THERMAL PROPERTIES

Mail Stop Petition

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED **UNINTENTIONALLY UNDER 37 CFR 1.137(b) TRANSMITTAL**

Enclosed please find the following:

- Petition for Revival of an Application for Patent Abandoned Unintentionally [X] Under 37 CFR 1.137(b) (PTO/SB/64)
- Declaration Supporting Petition Under 37 CFR §1.137 (b) [X]
- Response to Office Action dated July 2, 2003 filed on October 2, 2003 [X]
- Return receipt postcard [X]

Attorney Docket No.: OUTT-011/01US

Serial No.: 09/777,512

Page 2

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 03-3117.

Date: January 16, 2004

Cooley Godward LLP ATTN: Patent Group Five Palo Alto Square 3000 El Camino Real Palo Alto, CA 94306-2155

Tel: (650) 843-5000 Fax: (650) 857-0663

CZR:mrc

Respectfully submitted, COOLEY GODWARD LLP

Ву:

Cliff Z. Liu Reg. No. 50,834



PTO/SB/64 (11-03) Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE Under the perwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR REVIVAL OF AN APPLICATION FOR UNINTENTIONALLY UNDER 37 CFR 1.137(b)		Docket Number (Optional) OUTT-011/01US
First named inventor: Mark Henry HARTMANN	·	
Application No.: 09/777,512	Art Unit: 1732	
Filed: February 06, 2001	Examiner: EASHOO), Mark
Title: MELT SPINABLE CONCENTRATE PELLETS HAVING ENHANCED REVERSIBLE THERMAL PROPERTIES		
Attention: Office of Petitions Mail St p Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 FAX: (703) 872-9306	01/21/2004 MDANTE1 00000015 033 01 FC:1453 1330.00 DA	3117 09777512
The above-identified application became abandoned since the Unite received a timely and proper reply to an Office Action mailed on July proper reply to the Office Action was filed, as evidenced by the encl signed by Michelle R. Crosby and dated October 2, 2003 and the er Petition. Applicant respectfully requests acceptance of this Petition	v 2, 2003. However, Applicant be osed copy of a Response bearing tolosed Declaration from Michelle	elieves that a timely and g a Certificate of Mailing
APPLICANT HEREBY PETITIONS FOR	REVIVAL OF THIS APPLICATION	N
NOTE: A grantable petition requires the following items: (1) Petition fee; (2) Reply and/or issue fee; (3) Terminal disclaimer with disclaimer fee –requifiled before June 8, 1995; and for all design ap (4) Statement that the entire delay was unintention	plications; and	itions
1. Petition fee ☐ Small entity-fee \$ (37 CFR 1.17(m)). Ap	plicant claims small entity status	s. See 37 CFR 1.27.
☑ Other than small entity – fee: Please charge any appropriate	e fees to Deposit Account No. 03	3-3117 (37 CFR 1.17(m))
Reply and/or fee A. The reply and/or fee to the above-noted Office action the form of Response to Office action dated July, 2	2003_ (identify type of reply):	
1 of 21		

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

3 Term	ninal disc	claimer with disclaimer fee		
		e this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.		
×	Since	nis utility/plant application was filed on or after 3	une 6, 1995, no terminar disclaimer is required.	
		inal disclaimer (and disclaimer fee (37 CFR 1.20 nan a small entity) disclaiming the required perio	(d)) of \$ for a small entity or \$ for d of time is enclosed herewith (see PTO/SB/63).	
filing Trad abar	j of a gi lemark ndonmen	antable petition under 37 CFR 1.137(b) was	oly from the due date for the required reply until the unintentional. [NOTE. The United States Patent and if there is a question as to whether either the 137(b) was unintentional (MPEP	
		nformation on this form may become public. Cred on this form. Provide credit card information and a		
	Janu	ary 16, 2004		
Telephor	no	Date	. Signature	
Number:		550-843-5852	CliffZ. Liu	
			Typed or printed name	
			Five Palo Alto Square	
			Address	
Enclosur	res: 🗷	Fee Payment Deposit Account No. 03-3117	3000 El Camino Real	
			Address	
	×	Reply	Palo Alto, CA 94306-0663	
			Address	
		Terminal Disclaimer Form		
		Additional sheets containing statements establ	shing unintentional delay	
	×	Other: <u>Declaration Supporting Petit</u>	ion Under 37 CFR 1.137 (b)	



THE FOLLOWING HAS BEEN RECEIVED IN THE U.S. PATENT OFFICE ON THE DATE STAMPED HEREON:

) REGULAR/PROVISIONAL APPLICATION:	O RESPONSE TO NOTICE TO FILE MISSING PARTS
PPS DESCRIPTION	O NOTICE TO FILE MISSING PARTS
PPS CLAIMS	INFORMATION DISCLOSURE STATEMENT
PPS ABSTRACT	SCFORM PTO/SB/08 10 €
PROVISIONAL COVER SHEET	CITED REFERENCES 127
O APPLICATION DATA SHEET	O SEQUENCE LISTING - HARD COPY
DRAWINGS:SHEETS OF INFORMAL/FORMAL	O SEQUENCE LISTING - ASCII FORMAT, DISKETTE / CD
EXECUTED/UNEXECUTED DECLARATION / POA	O NOTICE OF APPEAL
) Power of Attorney	O APPEAL BRIEF
RECORDATION FORM COVER SHEET	O ISSUE FEE TRANSMITTAL
) ASSIGNMENT	TRANSMITTAL
ASSERTION OF SMALL ENTITY STATUS	O DECURET FOR CORRECTION OF
REQUEST FOR REFUND	O PETITION FOR EXTENSION OF TIME (MONTHS)
) RESPONSE/AMENDMENT	O CHECK NO FOR \$
RESPONSE TO NOTICE TO FILE MISSING PARTS	O EXPRESS MAIL #
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TTORNEY DOCKET NO.: OUTT- OII OIUS	でがたりには かまし
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DUE DATE:	JAN 2 3 2004
TTORNEY/SECRETARY: CZLIdm	JAN D COOL
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PPS CLAIMS PPS ABSTRACT O PROVISIONAL COVER SHEET O APPLICATION DATA SHEET O DRAWINGS: SHEETS OF IMPROVAMENTAL O EXECUTED/UNEXECUTED DECLARATION / POA	O SEQUENCE LISTING – ASCII FORMAT, DISKETTE / CD
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